

# THE COPPER ERA

AND MORENCI LEADER

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## STATE LEGISLATURE LEAVES ITS WORK UNFINISHED

Adjourned sine die at Ten O'clock Thursday Night Without Even Passing the Appropriation Bill—Lure of Labor Contingent Directed Against Senate.

PHOENIX, Mar. 11.—The second state legislature at ten o'clock tonight adjourned sine die. This action was taken after an hour of conferences held with the object of holding both houses in session to pass the appropriation bill, bank code, the mine tax bill, and the land code. Such a program was proposed by Stapley in the senate in the form of a resolution, but a majority of both houses insisted on adjourning and following a joint session, the final vote was taken.

Prior to adjournment and during the evening session, the racing bill was passed together with a number of small measures. There was a time when all feeling ran high and arguments were numerous between members of the senate and labor members of the house, who were greatly angered over the senate program to deny legislative enactment of measures which were urged by the Western Federation of Miners and the state Federation of Labor.

There was an effort to revive the prohibition bill, also the board of public welfare bill, but both died with the session.

Woods Appointment Blocked. In the senate things had gone smoothly during the day until executive session was called to consider the nomination of Pulliam to be head of the reform school and Woods a member of the fair commission, which nominations had been sent to the senate by the governor yesterday. Of course the executive session action was not disclosed, but it is said consideration of the Woods nomination occupied the greatest part of the time the doors were locked. Wood's political record as well as his fitness for the position were gone over and there was little opposition to the motion to refuse to confirm. In the senate a motion was adopted without roll call to confirm Pulliam, and refuse to confirm Woods. An administration senator tonight says the governor will renominate Woods after the close of the legislature.

Signed Bills. The governor during the day, signed the appropriation for convict labor and road camps and the appropriation for the San Carlos reservation road and permitted to become a law without his signature, the measure providing for a refund of unused liquor dealers licenses.

Other bills signed by the Governor of no importance during the week are:

S. B. 34, authorizing each county board of supervisors to make an appropriation of \$1,000 a year for agricultural extension work, in order to take advantage of the Smith-Lever act.

S. B. 104, regulating the sale of cold storage eggs.

H. B. 12, semi-annual payment of taxes.

H. B. 64, appropriating \$2500 for the boring of an artesian well near Parker.

H. B. 80, providing for the sale of the old industrial school property at Benson.

H. B. 111, adopting blue and old gold as state colors.

The Appropriation Fight. While the appropriation bill was under consideration Wednesday night there was a clash between Christy, of Greenlee and Vaughn, of Maricopa. Christy objected to making specific appropriations and then having the amounts used for other purposes, as he claimed has been done by various state institutions the past two years.

"If we appropriate for specific purposes the money should be used for that purpose," said Christy. "What's the matter with the House of Control? They may control this house of representatives but nothing else."

Vaughn (Maricopa) interrupted the speaker and said that he was wandering. "You sit down," yelled Christy. "I voice the sentiment of the taxpayers of this state."

At this point there was great applause from the galleries and Chairman of the session threatened to clear the gallery.

"Loose methods are used," continued Christy. "There is a lack of business knowledge and business sense. Think of the incident where the Board of Control bought \$1600 worth of shoe leather for just one cent. That's enough to last twenty years. There is mismanagement and lack of business principles on the part of the Board of Control."

Powers agreed that the appropriations committee found a number of such instances of which the gentleman from Greenlee complained.

"What I am trying to point out is that sums of money appropriated for buildings and equipment have been diverted out of the channels intended for them. If we don't call a halt, where are we going to end? These boards of trustees should be placed under control so the money will be spent the way it is appropriated."

(Continued on Page 8.)

## LALLY CASE POSTPONED.

Preliminary Examination for Criminal Libel Will Be Held March 19th—J. P. Court Proceedings.

The case of the State of Arizona vs. J. M. Lally, Justice of the Peace of Morenci, charged with criminal libel on the complaint of James G. Cash, Sheriff, which was set for hearing on Wednesday, March 10th, was postponed until Friday, March 19th awaiting the arrival of some papers in the case from the Superior Court of Graham county.

Everett Hagan, charged with receiving stolen property from two Mexican boys, the property consisting of a copper disk, used at the teacher plant of the A. C. Co. Ltd., had his hearing before Justice McWilliams on Saturday and Monday and was bound over to the Superior Court and his bond fixed at \$500 which was given.

The prosecution contended that Hagan was aware that this copper disk, weighing between two and three hundred pounds, was stolen property. The defense contended that otherwise but the Justice decided there was sufficient testimony to bind the defendant over to the Superior Court. The A. & N. M. railway company must answer in the Superior Court for a technical violation of the law regarding receiving for shipment of hides not properly tagged by the cattle inspector.

## MEXICAN THIEF SHOT BY MEMBER OF PURSUING POSSE

George Hagan Kills Esteban Juarez Near Duncan When Latter Resisted Arrest and After Mexican Had Fired at Constable With a Rifle.

Duncan, Arizona, March 9.—Esteban Juarez, aged 35 years, was shot and killed at his home in the small Mexican settlement known as San Antonio, located in New Mexico, near the Robert Johns ranch, about 12 miles from Duncan, on Saturday morning last at about 11:30 o'clock by George Hagan, a young man employed on the J. E. Copper ranch, who accompanied Constable Guthrie Ritchie together with the posse, in a search for stolen property.

It seems that quite a little property had been stolen recently from various ranchers in the valley, between Duncan and the Mexican settlement, and Constable Ritchie was well informed as to the guilty party. A search warrant was issued and with the two assistants named, he went to the settlement for the purpose of arresting the thief. The home of Juarez was visited and he was found at home. He was hidden outside and was placed under arrest. Then the party entered the place and found a number of articles which had been stolen and went outside. Juarez then went inside the house presumably to bid his family good-bye. There was an old U. S. army rifle leaning against the chimney on the outside of the building at the time. Juarez reached out through a hole in the wall and secured the gun unbeknown to the constable's party, and when he came out of the door he was armed with the rifle, and said that he was going to kill the three men. He took one shot at Guthrie Ritchie, the constable, and missed. Ritchie, it is said, was unable to get his gun to work. Hagan, who was at the time standing beside his saddle horse, pulled his rifle out of the scabbard and shot the Mexican through the chest, killing him almost instantly.

Justice of the Peace W. F. Foster was notified and an inquest was held later, Hagan being absolved from all blame.

After Juarez was killed the men were informed by a stepson of his that some stolen horses were hidden in a corner under some other material, and this was found. The harness consisted of two breast straps, two bridles, one collar and one line, all stolen from J. E. Copper's ranch on last Saturday night. Besides this there was found a pair of lines stolen from L. E. Stephens, a grub hoe belonging to W. F. Foster, an axe belonging to Ed. Lent, and a pick that was the property of Robert Johns. Most of the harness had been cut up.

Juarez was reputed to be a tough character, and none of the residents of the Mexican settlement had any use for him.

## Back from California—

Mrs. Henry Hill returned from Los Angeles this week for a brief stay on business. She has been in Los Angeles for the past six weeks in attendance at the bedside of her husband who has been confined to the hospital. When Mrs. Hill left Mr. Hill was able to sit up for a short time daily and is slowly but surely recovering his former good health.

## Wedding Bells—

Announcements received in Clifton this week from Los Angeles tell of the marriage in that city March 8th of Miss Anna Denton Kelsey to Ben P. Spriggs. The newly married couple have been stopping at the Alexandria in Los Angeles and are expected here the latter part of this week. Both contracting parties are well known in Clifton where they are assured of a cordial reception.

## FEDERAL LAW IS NULLIFIED BY DECISION

Intoxicating Liquors May Be Shipped Into State of Arizona for Personal Use, According to Attorney.

DOUGLAS, March 11.—Intoxicating liquor may be shipped into Arizona for the use of the man who orders it under a decision of the United States supreme court just rendered in a North Carolina case. Judge D. A. Richardson of Douglas received a copy of the decision today. It disposes decisively of the question of shipping liquor from one state to another, the effect of it being apparently to nullify the Webb-Kenyon law enacted by congress to prevent the shipment of liquor from a wet state into one that is dry.

The case decided was that of Vance vs. Vandercook Co., 170 United States supreme court, page 437. The supreme court decision says in part:

Plain Language "It follows that under the constitution of the United States, every resident of South Carolina is free to receive for his own use liquor from other states and that the prohibitions of a state statute do not operate to prevent liquor from other states from being shipped into such state on the order of a resident for his use."

The court further says: "But the right of persons in one state to ship liquor into another state to a resident for his own use is derived from the constitution of the United States, and does not rest on the ground of state law."

Nullifies Webb-Kenyon Act. Commenting on the decision, Judge Richardson said:

"The only question left for determination is whether or not the constitution of the United States has been repealed by the Webb-Kenyon act or by the recent amendment to the constitution. No person would seriously contend that congress by an act could amend the constitution or that a state constitution would amend the constitution of the United States. It follows that under the present constitution of the United States liquor may be shipped into Arizona for private use regardless of the Webb-Kenyon act or the constitution of Arizona."

## HUNT PARDON CASE UP TO COURTS

Question Will Be Decided Soon—Judge Baughn in Pinal County.

FLORENCE, Ariz., Mar. 9.—Whether Gov. Hunt or the new parole board has the pardoning power is the question which will be decided within the next few days by Judge Otis J. Baughn of the superior court of Pinal county, when the habeas corpus proceedings filed by Knox Laird, a state prisoner, come up for decision. Laird, who was serving a 10 year term for manslaughter was granted an unconditional pardon by the governor February 25. The pardon was sent to Warden R. B. Sims of the prison who declined to give Laird his liberty on the ground that the new law creating the board of pardons and paroles was in direct conflict with the constitution and that he was uncertain as to what course to pursue. Laird, through his attorney, filed application for his release on a writ of habeas corpus last week, and the matter will come before Judge Baughn for decision.

The governor's action in pardoning Laird immediately raised the question of the status of the new law and the board of pardons and paroles created at the November election and started for the case, which will be carried up to the supreme court for decision. It is stated that whatever Judge Baughn's decision, attorneys for Laird or the attorney general will have the appeal filed with the higher tribunal in record time. The five men sentenced to hang March 19 are taking no chances and have filed their applications for clemency with the new board and the same were considered at the last meeting. The board, however, has taken no action. The governor's action in pardoning Laird has been severely criticised in certain sections of the state, especially in Gila county where he was convicted.

## Judge McFarland Returns—

Judge W. C. McFarland, chief counsel for the A. C. Co. Ltd. and the A. & N. M. R. R. who has been absent from Clifton for the past six weeks, undergoing surgical treatment in Los Angeles, returned home this week and will shortly be able to resume his duties.

## To Visit Edinburg—

General Manager Norman Carmichael, of the Arizona Copper Company, Ltd., will leave the first part of next week for Edinburg, Scotland, where he goes to consult with the Board of directors on important business. Mr. Carmichael expects to sail on the Lusitania from New York City on the 27th inst., and will be absent from Clifton for approximately sixty days.

## STATE LAND TO BE RETURNED TO GOVERNMENT

Over One Third of Land Already Selected for the State by Land Commissioners Ordered Returned to Public Domain by U. S.

TUCSON, March 10.—Over one-third of the land selected for the state by the land commission went back into the hands of the United States Monday when an order from the department was noted at the local land office, putting 714,244 acres back into the public domain. This land is not yet open to settlement and entry.

Since its organization the land commission has selected in the neighborhood of 2,000,000 acres of land and it is estimated that the cost to the state of this work is close to \$60,000. Monday's order means that about \$20,000 of this work has gone for nothing.

Failure to get publications of the legal notices covering the 714,244 acres is thought to be the reason for the selection being turned back. In his letter to the land office, the bureau chief says that Governor Hunt's intention was evidently to permit the general land office to view his failure to renew the request for the withdrawal of the said lands as equivalent to a request for the elimination of the withdrawal of said lands. An order for the survey of the lands in question has been issued to Surveyor General Ingalls, but he has not yet put his men to work on the job. He is expecting an order rescinding the previous order for the survey.

Giving as an excuse the statement that 6500 acres of Gila valley bottom land in Yuma county is not good soil, the land commission last week relinquished part of the selection already made over to the state, and it is anticipated that other relinquishments will follow on similar or on the same grounds.

Thirty-one townships are embraced in the tracts the state has just permitted to go back into the public domain.

## Visiting in Alabama—

Mrs. A. T. Howard left this week for a four month's visit with relatives in Alabama.

## AJO RAILROAD TO BE BUILT SOON

Southwestern Chief Engineer Went Over the Route Last Week—If the Southwestern Refuses Then Road Will Go From Gila Bend.

Tucson, March 5.—That the Calumet & Arizona Mining company, which will announce the route of the Ajo railroad in 10 days, is endeavoring to interest the Phelps-Dodge interests in building the line from Ajo to Tucson before letting the Southern Pacific build it from Ajo to Gila Bend, seems to be indicated by the fact that L. J. Campbell, chief engineer of the El Paso & Southwestern railroad, a Phelps-Dodge interest, went over the line of survey last week. It is well known that Phelps-Dodge markets the ore of the Calumet & Arizona, and that the two interests are closely allied.

Should Phelps-Dodge decide that it cannot afford to build the road either at this time or at all, for the sake of extra mileage which it would mean to them, the Gila route undoubtedly will be chosen. The Southwestern will get the haul from Tucson to Douglas anyway. Although the Tucson route is twice as long as the other and through more difficult country, the total mileage would be shorter than by way of Gila to Tucson and thence to Douglas.

Captain John C. Greenway, general manager of the Calumet & Arizona, who is in Tucson, waiting for Chester A. Congdon, a director, and Dr. L. D. Ricketts, consulting engineer, to proceed to the property, is authority for the statement that a decision has not yet been made, but that it will be made in 10 days. A company to build the railroad will be formed, he said. That the road would be built in the near future was learned by the Tucson Citizen from Mr. Congdon last Thursday.

At the time that the surveys were made the Chamber of Commerce appointed a committee to tender to Captain Greenway on behalf of the company, an assistance that it or the citizens of Tucson could give. They held a conference at the Santa Rita hotel and Captain Greenway said that he would notify the committee what assistance the C. & A. would welcome should the Tucson route be selected. He has not yet called upon the committee for this assistance.

Captain Greenway stated that no matter which route is decided upon, great benefit will be derived by Pima county from the Ajo project.

## New Restaurant—

The old Eagle restaurant building on the East Side is being overhauled and renovated this week and will be opened shortly as a restaurant under the management of R. F. Sellers.

## ARRESTED FOR EMBEZZLEMENT.

Maurice McMillan Apprehended by Sheriff's Office in Clifton this week—Wanted in South Dakota.

Deputy Sheriff's Hill and McCullough, who have been working on a clue since the first of the month, this week placed under arrest Maurice A. McMillan, alias J. P. Smith, who has been in Clifton about one year in the employ of Everett Hagan.

McMillan is wanted at Ft. Pierre, S. D., for embezzlement and, according to his own statement, has been evading the officers for three years. When taken to the jail McMillan admitted to Deputy Sheriff's Hill and McCullough that he was the man wanted in South Dakota and expressed his willingness to return without extradition proceedings.

The sheriff at Ft. Pierre has been notified and is expected here for the prisoner in a few days. A reward of three hundred dollars had been offered by the county authorities in South Dakota for the arrest of McMillan.

## COPPER PRICE AVERAGE.

The average price of copper for the week ending March 10, 1915, was 14.45.

## ARIZONA GOOD ROADS ASSOCIATION IS FORMED HERE

State Organizer J. J. Kirker Spends Thursday in Clifton Enrolling Members in Greenlee County Division of State Good Roads Movement.

J. J. Kirker, who has been engaged in the Good Roads movement in several states and who has been employed by the Arizona Good Roads Association to make a campaign of the state for increased membership, arrived in Clifton Wednesday afternoon and spent Thursday here enrolling new members.

Mr. Kirker has just completed a campaign of the southern towns in the state and left Friday morning for Globe. From there he will go into the northern counties on the same mission. Thus far Mr. Kirker has increased the membership list with 500 new members.

On Thursday and Friday evening meetings were held in the parlor of the Clifton Hotel and after listening to the talks by Mr. Kirker, outlining the purposes of the State Association, a Greenlee County Good Roads association was formed with Sam Abraham as President and W. B. Kelly, Secretary and Treasurer. Membership blanks can be had from Sam Abraham by all those who wish to align themselves with the Good Roads movement in the state.

The membership campaign now under way was adopted by the State Association at its annual meeting in Phoenix a month ago. At this meeting Dwight B. Heard was chosen as President and Harry Welch, Secretary. Lamar Cobb, State Engineer, is a member of the executive committee for the state and Sam Abraham is Vice-President for Greenlee County. The object of the movement is to perfect a strong organization in every county of the state in favor of good roads and to devise and advocate proper legislation to this end in order that the state may receive a dollar's worth of road work for every dollar expended. In this connection the Association has gone on record as favoring a non-political highway commission. The Association is not partial to any particular trans-state highway but its funds will be used to further the good roads movement in general and in the circulation of illustrated literature showing the scenic attractions offered by the State of Arizona for tourist travel.

The minimum membership fee is \$2.50 per annum. Fifty cents per member remains in the county for defraying the expenses of the local organization and the remainder is turned over to the state organization for publicity purposes. It is expected that two thousand active members will be secured on this campaign and the organization made permanent for all time.

## WILL ESTABLISH COLONY.

Mormon Refugees from Mexico Buy 800 Acres Near Duncan.

The Duncan News says: What is the largest sale of farm real estate ever made in the Duncan valley, was consummated last week by the Gila Valley Realty & Loan company, J. L. T. Waters, manager, when it closed a deal by which the Gila ranch and Parker and Diserens properties pass to the possession of a group of Mormons, refugees from Mexico. The land comprises over 800 acres, and the consideration was \$50,000.00. The former owners of the property are a group of Cedar Rapids, Iowa capitalists, who have been in possession of the property for a number of years.

Peter Mortenson, of Deming, will take charge of the property for the new owners by the first of the coming week, and it is expected that steps will be taken as soon as possible towards the forming of a colony.

## JOY FOR THE WETS CONTAINED IN U. S. COURT DECISION

Supreme Court of the United States Decides Liquor Case Against Kansas. It is Probable But Not Certain That Decision Will Also Apply to Prohibition Law of Arizona.

Joy unconfined was infused into the "wets" this week when the announcement was published that the Supreme Court of the United States had decided a test liquor case against the State of Kansas. This case was known as "The Kirmeyer Liquor Case," one of first importance to the prohibition laws of Kansas.

It was alleged that after receivers had been appointed to oust various wholesale liquor dealers from doing business in Leavenworth Kan., M. Kirmeyer went across the river into Missouri, established a warehouse there, and continued to deliver beer in Kansas. The Kansas Supreme Court held that his removal was a mere device to evade the Kansas liquor law and that the trade was not interstate commerce "in good faith."

The Supreme Court today held that Kirmeyer was entitled, under previous decision of the court, to protection for his trade as interstate commerce and dismissed an injunction issued by the Kansas Supreme Court.

In the absence of the decision, in full it is not known whether or not the "Webb-Kenyon Amendment" which prohibited railroad companies from accepting for shipment liquors destined to a prohibition state, stood in the decision or not. If so, the force of the decision will be that a state cannot adopt laws which will prohibit interstate commerce in liquors.

Speaking of the decision reported by the newspapers two local attorneys stated this week that the consignee was as much a party to an interstate shipment as the shipper and if the Webb-Kenyon amendment had been held unconstitutional by the Supreme Court of the United States, there was nothing to prevent an individual to order liquors shipped into Arizona for his individual use.

The full text of the decision is awaited with a great deal of interest. If the decision of the Supreme Court will permit interstate commerce in liquors destined for individual in Arizona then the prohibition amendment is practically null and void, except that it would prevent the giving, bartering or sale of liquors within the confines of the state.

## NEW AMERICAN CITIZENS

United States Examiner Jones Arrived Thursday to Be Present at Naturalization Proceedings.

In the Superior Court this (Friday) morning a large number of foreign subjects presented themselves for application for their final citizenship papers. With one exception all of the applicants were from Morenci. Mr. Frank K. Jones, U. S. Examiner for the Department of Justice, attends each hearing in every county of the state to enquire carefully into the qualifications of the applicant before citizenship papers are granted.

Those who stood the test this morning were: Geo. A. Stephens, Roger Meade, James A. Harris, W. H. Williams, Wm. Cuthbertson, Robt. Grant Phillips, Percy Jennings Randall, Morley Marshall Skalar, of Morenci, all subjects of Great Britain, John Johnson, of Morenci and Theodore Gedda, Clifton, subjects of Sweden, were also admitted to citizenship. At the conclusion of the proceedings by order of the court John Johnson changed his name to John Alfred Joelson and Theodore Gedda renounced his title of Baron.

## Marriage Licenses Issued—

A marriage license was issued on Saturday last by the Clerk of the Superior Court, the contracting parties being Walter Tappin, Jr., and Miss Marshall Nicks, daughter of Mr. and Mrs. G. M. Nicks. The ceremony was performed at the Nicks home on Saturday evening, the Rev. J. R. Sawyer officiating. Only relatives and a few friends being present. Other licenses issued during the week included Edgar B. Butts to wed Helen F. Conner and W. E. Pearl to wed Mathryn Chandler. The Pearl-Chandler wedding occurred at the office of Justice of the Peace McWilliams on Friday afternoon of this week.

## Another Wrestling Match—

It has been definitely announced that Al Wasem, the champion light weight wrestler of the world, will again meet Harry Eads, of Los Angeles, on the wrestling mat the Princess on the evening of Thursday, March 18th. This match will be the two best falls out of three and promises to be the most interesting and exciting contest ever staged in Clifton. Those who saw the first match between these two men are enthusiastic over the forthcoming event. Tickets \$1.50, \$1.00 and 75c. It took Wasem one hour and twenty minutes to throw Eads in the first encounter.